

CHESTNUTHILL TOWNSHIP SUPERVISORS
ROUTE 715, BRODHEADSVILLE, PA 18322
MINUTES OF MEETING – December 2, 2008

A regular meeting of the Chestnuthill Township Board of Supervisors was called to order at 7:00 p.m on Tuesday, December 2, 2008 at the Township Municipal Building Rte 715, Brodheadsville. Those present were Chuck Gould (Chairman), Leigh Kane (Vice-Chairman), David Fleetwood (Supervisor) Atty. Joseph P. McDonald, Jr., and Cathy Martinelli (Office Manager) David Albright (Township Manager) was absent.

The **Pledge of Allegiance** to the Flag was led by Mr. Thody.

Executive Session. Was held on 11/18/08 on a litigation and real estate issue.

Unit Care Agreement. None.

Parks. Bernie Kozen was present to report the following:

- Santa is coming to the Park 12/12/08 @ 6:00 p.m.
- A walk will be held on 12/14/08 at the Jonas Mountain preserve all attending will meet at the Jonas Hotel at 1:00 p.m.
- Jacob Stroud did cut down a tree from the Romascavage property and it is being displayed at Courthouse Square in Stroudsburg.

Public Comment. None.

Minutes. On motion made by Leigh, seconded by Chuck it was voted to approve the minutes of the November 18th meeting, as distributed. (2-0) (Dave F was absent)

Correspondence.

ESSA Line of Credit. The Township's line of credit in the amount of \$200,000.00 matures on 12/20/08. This line of credit is used for the Transfer Station projects. The bank is offering two options, renew the line of credit for another three (3) years with a new maturity date of 12/20/2011. The other option is a demand basis, which eliminates the renewal process. However, in accordance with DCED requirements we cannot go with the option of a demand basis. A brief discussion ensued, and on motion made by Leigh, seconded by Dave it was voted to continue with the first option, to renew the line of credit in the amount of \$200,000.00 for another three (3) years with a new maturity date of 12/20/2011 and to authorize Cathy Martinelli and/or Dave Albright to finalize and sign all the documents for renewal. (3-0)

Letter from Atty. Martino. Atty. McDonald received a letter from Atty. Martino with further information from Mr. Hodgson who is asking for any relief, because his builder built a home within 12' of a setback. The setback should be 15'. The Board felt this is a zoning issue and should be handled by the Zoning Officer.

Shiffer Acquisition. Atty. McDonald reminded the Board that the closing is set up for December 16th. Time to be determined.

Overflow Parking. Engineer McDermott reported the project in the park is on schedule, and the base grading is complete.

Roof Bids. Engineer McDermott said that the roof bid was awarded but there is a clause in the documents that specify that the roof must be substantially complete by 12/12/08. A brief discussion ensued and the Board asked Engineer McDermott to call the bidder and discuss this issue. Engineer McDermott said he could do a change order to effect the time requirements only. On motion made by Chuck, seconded by Leigh it was voted to authorize Engineer McDermott to follow through with the above. (3-0)

Old Business.

Award items for Sale. Our mechanics have completed their research on the truck prices and it was determined the highest bidder's price was comparable. On motion made by Leigh, seconded by Dave it was voted to award the truck bid to Handy Home & Yard Care for \$6750.00. (3-0)

Fire Company Merger updates. At this time the merger is moving along, nothing new to report tonight.

New Business.

MCMWMA letter. The Board has received a letter from James Lambert, Executive Director regarding the collection of recycling materials. It included a collection cost analysis for the collection of recycling at current level of service. The Board will look into this further.

Berkheimer EIT collection. The Board has had several discussions with Berkheimer for collection of our EIT monies as Joanne Wernet will be retiring as of January 31, 2009. Atty. McDonald had several questions on their contract, therefore, on motion made by Chuck, seconded by Leigh it was voted to table this issue, subject to Atty. McDonald's review of the documents until 12/16/08. (3-0)

Bid Baler for Recycling Center. We would like to bid a horizontal baler & cart tipper for the recycling center. On motion made by Dave, seconded by Leigh it was voted to authorize the bid. (3-0)

Bills. On motion made by Leigh, seconded by Dave it was voted to pay the bills. (3-0)

Plans.

Kal-Tac Inc. (Land Development Plan/Reverse Subdivision Plan) Effort Associates. It was asked via phone that this plan be tabled tonight. On motion made by Chuck, seconded by Leigh it was voted to table this plan (3-0) (**open ended waiver**)

New Cingular Wireless PCS (Land Development Plan) Clough Harbour & Assoc. Atty. Kate Durso was present on behalf of this plan. Several waivers were requested as follows:

- Waiver request 98-61f(4) 6' wide berm in lieu of 10' wide berm. On motion made by Leigh, seconded by Dave it was voted to approve this waiver. (3-0)
- Waiver request 98.Att.3.C.14 Compliance with conservation design process. On motion made by Leigh, seconded by Dave it was recommended for approval of this waiver. (3-0)
- Waiver request 98.Att.3.D.13 All proposed utility easements will follow proposed utilities on the side of the proposed access road. On motion made by Dave, seconded by Leigh it was recommended for approval of this waiver. (3-0)
- Waiver request 98 Att.3 D.14, 15 Existing forested area along with trees greater than 18 inch trunk diameters should be shown on the plans. On motion made by Dave, seconded by Leigh it was recommended for approval of this waiver. (3-0)
- Waiver request 98-65 Slope of proposed driveway from 10% to 14.7%. On motion by Leigh, seconded by Dave it was voted to recommend approval of this waiver. (3-0)

Engineer McDermott's review letter dated 10/1/08 was reviewed. Several items were outstanding such as item #5, 6, 7, and 8, as well as any outstanding fees. Also, a revised plan dated 11/5/08 was not reviewed by Engineer McDermott. On motion made by Chuck, seconded by Leigh it was voted to table this plan until the 12/16/08 meeting to address all outstanding items. (3-0)(**waiver until 12/16/08**)

Pleasant Valley Assembly of God (Prelim/Final Plan) Niclaus Engineering. It was asked via phone to table this plan tonight. On motion made by Chuck, seconded by Leigh it was voted to table this plan tonight. (3-0) (**open ended waiver**)

Chestnut Hill Nursery (Land Development Plan) Keystone Consulting. It was asked via phone to table this plan tonight. On motion made by Chuck, seconded by Leigh it was voted to table this plan tonight. (3-0) Chuck abstained. (**open ended waiver received 10/7/08**)

Graeber, Richard & Gloria (Minor Subdivision) Robert Beers. Mr. Beers was present on behalf of this plan. Engineer McDermott's comment letter dated 12/2/08 was reviewed. It was noted the plan should reflect a 5' reserve easement for future right-of-way. A brief discussion ensued and on motion made by Dave, seconded by Leigh it was voted to conditionally approve this plan subject to satisfactorily addressing Engineer McDermott's comment letter dated 12/2/08, including the 5' reserve easement on the plan and any outstanding fees. (3-0)

Regency Plaza Agreement. Atty. McDonald had sent a revised red-lined version agreement for the Board to review. There were still issues with the parking and septic. A lengthy discussion ensued and on motion made by Chuck, seconded by Leigh it was voted to table this tonight. (3-0)

Meeting January 20, 2009. On motion made by Dave, seconded by Leigh it was voted to have this 2nd meeting of the month a bill paying meeting & possible work-session. No decisions will be made at the work-session. (3-0)

Planning Module Approval.

Kinsley's Shop Rite maintenance agreement. Helen Beers, SEO has reviewed this maintenance agreement and found it to be in order. On motion made by Chuck, seconded by Leigh it was voted to approve and sign this agreement. (3-0)

Adjournment. There being no further business, on motion made by Chuck, seconded by Leigh it was voted to adjourn into an executive session at 9:24 p.m., on a real estate and litigation issue. (3-0)

Respectfully submitted,

Cathy A. Martinelli
Recording Secretary